

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:16-CV-765-D

WANZA COLE,

Plaintiff,

v.

WAKE COUNTY BOARD OF  
EDUCATION,

Defendant.

**ORDER**

On February 3, 2017, defendant moved to dismiss plaintiff's amended complaint [D.E. 21].

See Fed. R. Civ. P. 12(b)(6). On March 17, 2017, plaintiff responded in opposition [D.E. 26].

The court has considered the motion and amended complaint under the governing standard. The motion to dismiss [D.E. 21] is DENIED. Whether plaintiff will survive a motion for summary judgment is an issue for another day.

SO ORDERED. This 10 day of April 2017.

  
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JAMES C. DEVER III  
Chief United States District Judge